

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA**

LEAF FUNDING, INC.,)	
)	
Plaintiff,)	
)	8:07CV134
v.)	
)	
SBS AUTO GROUP, LLC,)	ORDER
SHERIDAN AUTO GROUP, LLC,)	
SBS LAND DEVELOPMENT LLC and)	
LAWRENCE FELDHACKER,)	
)	
Defendants.)	

This matter is before the court *sua sponte*, pursuant to NECivR 41.1, which states in pertinent part: “The court may at any time dismiss an action for lack of prosecution when it appears it is not being prosecuted with reasonable diligence.” The record reveals the complaint was filed on April 9, 2007, and service of the summons was executed on Lawrence Feldhacker on April 13, 2007. **See** Filing No. 4. Mr. Feldhacker and SBS Land Development LLC filed their joint answer on June 4, 2007. **See** Filing No. 7. The plaintiff also filed notice of summonses returned executed for Sheridan Auto Group, LLC, service on April 18, 2007, and SBS Auto Group, LLC, service on June 11, 2007. **See** Filing Nos. 8 and 12. It remains the plaintiff’s duty to go forward in prosecuting the case by, for example, filing a motion for the Clerk’s entry of default pursuant to Fed. R. Civ. P. 55 and NECivR 55.1(a) against defendants who have been served but have not filed a timely answer. Upon consideration,

IT IS ORDERED:

The plaintiff shall show cause why this case should not be dismissed for failure to prosecute the defendants Sheridan Auto Group, LLC and SBS Auto Group, LLC. The showing of cause shall be filed electronically on or before the close of business **on July 27, 2007.**

DATED this 12th day of July, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge